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18 B&G FOODS NORTH AMERICA, INC.

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

15 B&G FOODS NORTH AMERICA, INC.,
16 Plaintiff,
17 v.
18 KIM EMBRY and ENVIRONMENTAL
19 HEALTH ADVOCATES, INC., acting as
20 enforcement representatives under California
21 Proposition 65 on behalf of the State of
22 California,
23 Defendants.

Case No. 2:20-cv-00526-KJM-DB

**B&G FOODS NORTH AMERICA,
INC.'S NOTICE OF WITHDRAWAL OF
MOTION TO COMPEL NO. 3 RE
DEFENDANTS' PRESERVATION OF
EVIDENCE AND CHAIN OF CUSTODY
[ECF 138]**

Date: March 1, 2024
Time: 10:00 AM

Magistrate Judge: Hon. Deborah Barnes
Courtroom: 27

SAC Filed: November 23, 2022
Trial Date: None Set

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Plaintiff B&G Foods North America, Inc. (“Plaintiff” or “B&G Foods”) hereby withdraws its Notice of Motion and Motion to Compel No. 3 regarding Defendants’ Preservation of Evidence and Chain of Custody (“Motion”) without prejudice. (ECF No. 138.)

Dated: February 16, 2024

Respectfully Submitted,

BRAUNHAGEY & BORDEN LLP

By: 
Matthew Borden

*Attorneys for Plaintiff
B&G Foods North America, Inc.*